

REMARKS:

Claims 1-19 and 21-23 are pending in the application; claims 1, 8, 18, and 22 are independent claims. Applicants thank the Examiner for indicating that claims 21 and 23 are allowed. Remaining claims 1-19 and 22 stand rejected.

Claim 22 has been amended to clarify the subject matter Applicants regard as their invention.

Rejection of claims 1-19 under 35 U.S.C. §103(a)

Claims 1-19 are rejected as being unpatentable under 35 U.S.C. § 103(a). Claims 1-3 and 7 are rejected over U.S. 4,439,699 to Brende et al. ("Brende") in view of newly cited U.S. 6,812,598 to Cheung et al. ("Cheung"). Claims 4-6 are rejected over Brende in view of Cheung and further in view of U.S. 3,149,255 to Trench ("Trench"). Claims 8-10 and 18 are rejected over U.S. Patent No. 6,157,100 to Mielke (hereinafter "Mielke") in view of Cheung. Claims 11, 12, and 19 are rejected over Mielke in view of Cheung and Trench. Claims 13 and 14 are rejected over Brende in view of Cheung and U.S. 5,909,066 to Nanba et al. ("Nanba"). Claims 15-17 are rejected over Brende in view of Cheung, Nanba and Trench.

The Office action cites Cheung for teaching bearing surface layers (16) between a moving component (4) and a stationary component (6). The Office action further states that the teaching of Cheung provides *inter alia* the bearing surfaces as recited in independent apparatus claims 1, 8, and 18 and, accordingly, in claims 2-7, 9-17 and 19 which are dependent therefrom. The Office action acknowledges that the other art cited against claim 1 (Brende) and claims 8 and 18 (Mielke) are silent regarding the first and second bearing layers recited in these claims.

Applicants respectively bring attention to the international filing date of January 25, 2002 of the present application and the filing date of Cheung, which is February 19, 2002. Because the filing date of the present application is before the filing date of Cheung, Cheung is not prior art under 35 U.S.C. § 102. Accordingly, Applicants respectfully request that the Cheung reference be removed. No other cited art discloses or suggests the bearing surfaces as recited in claims 1-19. Accordingly, Applicants respectfully submit that the rejection of claims 1-19 under 35 U.S.C. § 103 should be withdrawn.

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Rejection under 35 U.S.C. §102(b)

Claim 22 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 5,220,232 to Rigney, II et al. ("Rigney"). In particular, the Office action states that Figure 6 and Col. 6, ll. 35-40 of Rigney disclose a stack comprising a plurality of discrete magnets having an initial stack diameter, providing a sleeve having a magnetic permeability greater than 2.0 and assembling a sleeve over the stack to form a shaft.

Applicants respectfully traverse this reasoning. Rigney does not disclose or suggest a method of making a magnetic shaft including the steps of providing a stack of axially stacked discrete magnets having an initial stack diameter, providing a sleeve having a magnetic permeability greater than 2.0; and assembling the sleeve over the stack as recited in the claim. Referring to FIG. 6 and Col. 6, ll. 35-40, Rigney discloses "a retaining wall 66, made of a metal having a high coefficient of permeability" with no mention of a range of permeability; "a retaining sleeve 68 [that] can be formed integrally with the retaining wall 66"; and "*concentric* annular magnets." Each of these annular magnets are concentrically aligned, not axially aligned as recited in claim 22. Consequently, each of the annular magnets of FIG. 6 has a different diameter, not a common stack diameter as recited in the claim 22. At least for these reasons, Rigney does not anticipate claim 22. Accordingly, Applicants submit that the rejection under 35 U.S.C. § 102 of claim 22, as amended, has been overcome and should be withdrawn.

CONCLUSION

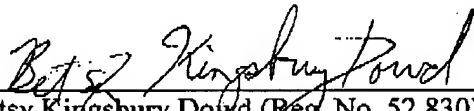
Applicants respectfully request entry of this amendment and reconsideration and allowance of the pending claims. In light of the foregoing, Applicants respectfully submit that all claims are now in condition for allowance.

Applicants believe that no fees are necessitated by the present Response. However, in the event that any fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 06-0923.

If the Examiner believes that a telephone conversation with Applicants' attorney would expedite allowance of this application, the Examiner is cordially invited to telephone the undersigned attorney at the number provided below.

September 12, 2007

Respectfully submitted for Applicants,


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